

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 1ST JUNE 2007 / 11TH JYASHTA 1929

Crl.Rev.Pet.No. 2155 of 2007()

CRA.314/2004 of ADDL.SESIONS (ADHOC II) COURT, ERNAKULAM
CC.882/2002 of CHIEF JUDL.MAGISTRATE, ERNAKULAM
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REVN. PETITIONER: REVISION PETITIONERS/APPELLANTS IN
CRA/ACCUSED

1. M/S.CHEMICAL TRADING COMPANY, G.225,
PANAMPILLY NAGAR, KOCHI, REP. BY JOJO PAUL,
MANAGING PARTNER.
2. JOJO PAUL, MANAGING PARTNER,
M/S.CHEMICAL TRADING COMPANY,
G.225, PANAMPILLY NAGAR, KOCHI.

BY ADV. SRI.SURESH JOSE

RESPONDENTS: IN CRRP/RESPONDENTS IN CRA/COMPLAINANT AND
STATE

1. M/S.GEETHANJALI INVESTMENTS AND KURIES
(P) LTD., 3RD FLOOR, KALATHIL BUILDINGS,
HOSPITAL ROAD, COCHIN - 11, REP. BY
N.K.JAYAKUMAR, OFFICE ASSISTANT.
2. STATE OF KERALA, REPRESENTED BY
GOVERNMENT PLEADER, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI. PUZHAKKARA MUHAMMED, PUBLIC PROSECUTOR
SRI.P.M.MOHAMMED SHIRAZ

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R. UDAYABHANU, J
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CRL. R.P. NO. 2155 OF 2007

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Dated this the 1st day of May 2007

ORDER

The revision petitioners, the company and the Managing partner, stand convicted for the offence under Section 138 of the Negotiable Instruments Act. A1, company stands sentenced to pay a fine of Rs.5,000/- and A2, the Managing Partner is sentenced to undergo simple imprisonment for six months and to pay a compensation of Rs.1,25,000/- vide Section 357(3) Cr.P.C and in default to undergo simple imprisonment for one month.

2. The counsel for the revision petitioner has only sought for modification of sentence and for time to remit the amount of compensation. In the circumstances, the sentence imposed on A2 is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. The revision petitioner is granted six months time from today onwards to remit the amount. The 2nd revision petitioner shall appear before Chief Judicial Magistrate, Ernakulam on **01.12.2007** to receive sentence.

The Crl.R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

